

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

PABLO CRUZ ,
Defendant.

Criminal No. 08-165 (ADC)

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Camille Vélez-Rivé on October 28, 2008. (**Docket No. 44**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Pablo Cruz** be adjudged guilty of the offenses charged in Count One (T. 21, U.S.C. §§ 1341 and 1349) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count One of the indictment in the above-captioned case.

The sentencing hearing is set for March 5, 2009 at 2:00 p.m.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 21st day of November, 2008.

S/AIDA M. DELGADO-COLON
United States District Judge